

Legal Environment

The Macedonian constitution includes basic protections for freedom of the press and of expression, but the authorities do not uphold them impartially. The use of criminal laws to restrict journalistic activity drew international attention in 2013 when *Nova Makedonija* reporter Tomislav Kezarovski was arrested in May for allegedly revealing the identity of a protected witness in a murder case; he was sentenced to four and a half years in prison that October. The articles in question, which were published in 2008, alleged that police had coerced the witness in a 2005 murder case into giving false testimony. The witness confirmed that account in a court hearing in February 2013 and said he was only given protected status in 2010; the original murder convictions were consequently overturned. Kezarovski was moved to house arrest after his sentencing pending the outcome of an appeal, which he was still awaiting at the end of 2014.

Defamation was removed from the penal code in 2012, but a parallel change to the civil defamation law authorized large fines for reporters, editors, and media owners. At least 580 civil defamation suits had been filed since the change by the end of 2014, including dozens of cases against journalists. Many are dropped or settled out of court, often because defendants yield to the threat of crippling financial penalties. In September 2014, an appellate court upheld a January ruling that a reporter and the editor of the independent weekly *Fokus* had to pay some \$12,000 in damages and court costs for a 2013 article that allegedly defamed Saso Mijalkov, head of the Security and Counterintelligence Administration. The law on open access to public information is unevenly and selectively enforced, with officials delaying responses and shunning independent or critical media outlets.

Enforcement of media regulations is weak, and the licensing process is subject to undue political and economic influence. In December 2013, the parliament adopted two laws—the Law on Media and the Law on Audiovisual Media Services—that created a new government-dominated media regulator to replace the previous Broadcasting Council. The new agency is empowered to impose heavy fines and revoke broadcast licenses for content that threatens vaguely defined interests such as “public order” and “health or morals.” Amendments adopted in January 2014 exempted online outlets from regulation, minimized the obligations of print media, allowed the Journalists’ Association of Macedonia (ZNM) to nominate one of the regulator’s seven council members, and inserted language to ensure that all future content rules comply with standards set by the European Court of Human Rights. Critics of the laws said the changes, adopted under international pressure, were inadequate.

The government has reportedly promoted the Macedonian Association of Journalists (MAN) as a rival to the ZNM, while members of the Trade Union of Macedonian Journalists and Media Workers (SSNM) have faced dismissal and other forms of pressure from officials and employers. In July 2014, the parliament amended the Law on Audiovisual Media Services to give one of the ZNM’s two seats on the board of the public broadcaster to the MAN. The media laws passed in 2013 do not recognize bloggers and citizen journalists as professional journalists.

Political Environment

Most private media outlets are tied to political or business interests that influence their content, and state-owned media tend to support government positions. According to the 2014 European Commission report on Macedonia, there is lack of independent reporting and objective information available to the public. The government’s dominance of the media landscape through advertising was on display ahead of

the April 2014 general elections, with public and most private outlets showing a clear bias in favor of the ruling coalition. In February, the chief editor of the leading private television station, TV Sitel, called on voters to support the government on ethnic nationalist grounds. An SSNM survey in March found that 65 percent of journalists had experienced censorship, and more than half said they practiced self-censorship.

Journalists sometimes face physical violence and harassment. In March 2014, the ruling party used harsh language to personally attack the editor of *Sloboden Pecat* after it ran stories about pressure on state employees and students to attend campaign rallies. In April, the Constitutional Court rejected a complaint by journalists who had been expelled en masse from the legislative chamber during a political standoff in December 2012, finding that the action had been taken for the reporters' own safety. Reporters from at least three outlets were forced by police to delete images of officers' confrontations with civilians during violent ethnic protests near the capital in May 2014. Past death threats and other forms of intimidation have not been prosecuted.

Economic Environment

Macedonia has a large number of broadcast and print outlets for its population, but progovernment media—including the public MRTV and several private television stations and newspapers—hold a dominant position in the market. A small number of outlets, such as Telma TV, 24 Vesti, *Sloboden Pecat*, and *Fokus*, carry more balanced or critical coverage. Ownership transparency is undermined by the use of proxies and silent partners; in February 2014, a group of investigative journalists created a website to trace obscured ownership in the media sector. Foreign investment in the media is largely limited to Serbian companies. A Serbian-owned media group has a virtual monopoly on newspaper printing and distribution, and its owner has ties to high-level security officials.

Foreign media content is not restricted. Access to the internet is constrained only by cost and infrastructural obstacles, with around 68 percent of the population accessing the medium in 2014. Use of social media continues to increase, and news sites and blogs have expanded, but most news content originates in traditional media. In February, Macedonia adopted a new Law on Electronic Communications to improve competition and consumer rights in line with European Union (EU) standards.

The government is regularly criticized for its liberal use of promotional advertising, which increases the media's financial dependence and favors progovernment outlets. The government is the country's largest single advertiser, and the ruling party benefits from deep pricing discounts from friendly outlets, particularly during election campaigns. In another sign of apparent collusion, in early 2014 it was revealed that a company linked to Ivona Talevska, an editor at two progovernment news outlets, had received a lucrative contract from the Health Ministry in late 2012. Journalists face low salaries, poor job security and working conditions, and editorial pressure from owners, and most outlets rely on financial support from government entities or owners' other businesses.